

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SYSTEM AND METHOD FOR PROVIDING PERSONALIZED STORM WARNINGS**

(Attorney Docket No. 067808:0119)

the specification of which (check one)

  X   is attached hereto.

       was filed on                     , as United States Application Number                      and is amended by the preliminary amendment attached hereto.

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith:

RUSSELL J. BARRON	Reg. No. 29,512
DAVID J. BATES	Reg. No. 39,902
STEVEN C. BECKER	Reg. No. 42,308
DOUGLAS A. BOEHM	Reg. No. 32,014
EDWARD W. BROWN	Reg. No. 22,022
CHARLES G. CARTER	Reg. No. 35,093
ALISTAIR K. CHAN	Reg. No. 44,603

JOHN C. COOPER III	Reg. No. 26,416
JEFFREY N. COSTAKOS	Reg. No. 34,144
WILLIAM J. DICK	Reg. No. 22,205
HARRY C. ENGSTROM	Reg. No. 26,876
BERNARD P. FRIEDRICHSEN	Reg. No. 44,689
BARRY L. GROSSMAN	Reg. No. 30,844
PAUL S. HUNTER	Reg. No. 44,787
MARK A. KASSEL	Reg. No. 38,200
KATHERINE D. LEE	Reg. No. 44,865
KEITH D. LINDENBAUM	Reg. No. 40,365
DAVID G. LUETTGEN	Reg. No. 39,282
PETER J. MANGHERA	Reg. No. 40,080
RICHARD J. MC KENNA	Reg. No. 35,610
JAMES G. MORROW	Reg. No. 32,505
TODD A. RATHE	Reg. No. 38,276
CHRISTOPHER M. TUROSKI	Reg. No. 44,456
JAMES A. WILKE	Reg. No. 34,279
JOSEPH N. ZIEBERT	Reg. No. 35,421
WALTER E. ZIMMERMAN	Reg. No. 40,883

and I request that all correspondence be directed to:

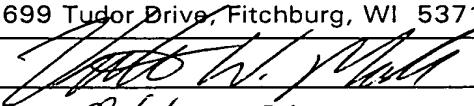
Peter J. Manghera  
 FOLEY & LARDNER  
 150 East Gilman Street  
 P. O. Box 1497  
 Madison, Wisconsin 53701-1497

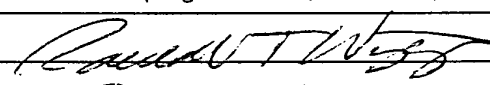
Telephone: (608) 258-4265  
 Facsimile: (608) 258-4258

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Terence F. Kelly
Residence	Madison, WI
Citizenship	United States of America
Post Office Address	1007 Hillside Avenue, Madison, WI 53705
Inventor's signature	<i>Terence F. Kelly</i>
Date	October 31, 2000

Name of second inventor	Victor W. Marsh
Residence	Fitchburg, WI
Citizenship	United States of America
Post Office Address	5699 Tudor Drive, Fitchburg, WI 53711
Inventor's signature	
Date	October 31, 2000

Name of third inventor	Randall T. Wiggins
Residence	Madison, WI
Citizenship	United States of America
Post Office Address	1419 Spaight Street, Madison, WI 53703
Inventor's signature	
Date	October 31, 2000

**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	09/707,104
Filing Date	11/06/2000
First Name of Inventor	Terence F. Kelly
Group Art Unit	3662
Examiner Name	
Attorney Docket Number	6843

I hereby appoint:

☒ Practitioners at Customer Number

22922

OR

☐ Practitioner(s) named below:



Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

22922

OR



☐ Firm or  
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

*Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

**SIGNATURE of Applicant or Assignee of Record**

Name

Terence F. Kelly, President, Weather Central, Inc.

Signature

Date

1/30/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## Certificate Under 37 CFR 3.73(b)

Applicant: T. Kelly, V. Marsh, R. WigginsApplication No.: 09/707,104 Filed: 11/06/2000For: System and Method for Providing Personalized Storm WarningsWeather Central, Inc., a  
(Name of Assignee)Wisconsin Corporation  
Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 011778, Frame 02332, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 1/30/02

Name: Terence F. Kelly

Title: President

Signature: 

(Certificate Under 37 CFR 3.73(b)--PTO FORM [16-16.1])



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 25, 2001

PTAS



\*101713870A\*

FOLEY & LARDNER  
PETER J. MANGHERA  
150 EAST GILMAN STREET  
P.O. BOX 1497  
MADISON, WI 53701-1497

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/04/2001

REEL/FRAME: 011778/0232  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KELLY, TERENCE F.

DOC DATE: 10/31/2000

ASSIGNOR:

MARSH, VICTOR W.

DOC DATE: 10/31/2000

ASSIGNOR:

WIGGINS, RANDALL T.

DOC DATE: 10/31/2000

ASSIGNEE:

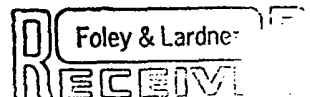
WEATHER CENTRAL, INC.  
5725 TOKAY BOULEVARD  
MADISON, WISCONSIN 53719

SERIAL NUMBER: 09707104

PATENT NUMBER:

FILING DATE: 11/06/2000

ISSUE DATE:



AUG 1 2001



011778/0232 PAGE 2

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

05-11-2001

FORM PTO-1595 (modified)

(Rev. 6-92)



101713870

HOL

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

T the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

TERENCE F. KELLY, VICTOR W. MARSH, and  
RANDALL T. WIGGINS

Additional name(s) of conveying party(ies) attached? No

2. Name and address of receiving party(ies):

WEATHER CENTRAL, INC.  
5725 Tokay Boulevard  
Madison, WI 53719

Additional name(s) &amp; address(es) attached? No

MAY - 4 2001

3. Nature of conveyance:

5-4-01

Assignment

Execution Date: October 31, 2000

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/707,104

B. Patent No.(s)

Additional numbers attached? No

5. Name and address of party to whom correspondence concerning document should be mailed:

Peter J. Manghera  
FOLEY & LARDNER  
150 East Gilman Street  
Post Office Box 1497  
Madison, WI 53701-1497  
(608) 258-4265

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. § 3.41). . . . . \$ 40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number: 06-1447

05/10/2001 101A21 00000143 09707104

01 FC:581

40.00 DP

DO NOT USE THIS SPACE

405

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Peter J. Manghera

Name of Person Signing

Signature

May 2, 2001

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

**ASSIGNMENT AND AGREEMENT**

**WHEREAS**, Terence F. Kelly of 1007 Hillside Avenue, Madison, WI 53705, and Victor W. Marsh of 5699 Tudor Drive, Fitchburg, WI 53711, and Randall T. Wiggins of 1419 Spaight Street, Madison, WI 53703 (hereinafter referred to singly and collectively as "ASSIGNOR") have invented a certain invention entitled **SYSTEM AND METHOD FOR PROVIDING PERSONALIZED STORM WARNINGS** (Atty. Dkt. No. 067808:0119) for which an application for United States Letters Patent was filed on November 6, 2000, and assigned application number 09/707,104; and

**WHEREAS**, Weather Central, Inc., a corporation duly organized and existing under the laws of the State of Wisconsin, and having its principal place of business at 5725 Tokay Boulevard, Madison, WI 53719 (hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire interest therein;

**NOW THEREFORE**, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, unto ASSIGNEE, its successors and assigns, the full and exclusive right, title, and interest in and to (a) the above-identified invention or inventions and all improvements and modifications thereof, (b) the above-identified application and all other applications for Letters Patent of the United States and countries foreign thereto for the above-identified invention or inventions and all improvements and modifications thereof, (c) all Letters Patent which may issue from said applications in the United States and countries foreign thereto, (d) all divisions, continuations, reissues, and extensions of said applications and Letters Patent, and (e) the right to claim for any of said applications the full benefits and priority rights under the International Convention and any other international agreement to which the United States adheres; such right, title, and interest to be held and enjoyed by ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by ASSIGNOR had this Assignment not been made.

**ASSIGNOR HEREBY AUTHORIZES AND REQUESTS** the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE as assignee of the entire interest, for the sole use and benefit of ASSIGNEE, its successors and assigns.

**ASSIGNOR HEREBY AGREES** (a) to communicate to ASSIGNEE, its successors and assigns, or their representatives or agents, all facts and information known or available to ASSIGNOR respecting said invention or inventions, improvements, and modifications including evidence for interference, reexamination, reissue, opposition, revocation, extension, or infringement purposes or other legal, judicial, or administrative proceedings, whenever requested by ASSIGNEE; (b) to testify in person or by affidavit as required by ASSIGNEE, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; (c) to execute and deliver, upon request by ASSIGNEE, all lawful papers including, but not limited to, original, divisional, continuation, and reissue

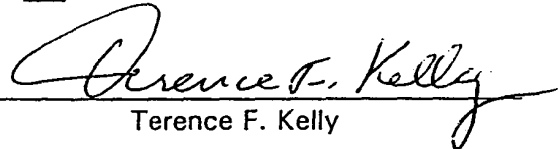
applications, renewals, assignments, powers of attorney, oaths, affidavits, declarations, depositions; and (d) to provide all reasonable assistance to ASSIGNEE, its successors and assigns, in obtaining and enforcing proper title in and protection for said invention or inventions, improvements, and modifications under the intellectual property laws of the United States and countries foreign thereto.

*ASSIGNOR HEREBY REPRESENTS AND WARRANTS* that ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein, and that ASSIGNOR has not executed and will not execute any document or instrument in conflict herewith.

ASSIGNOR hereby authorizes ASSIGNEE or the attorney of record in the application to insert above the filing date and serial number of the application when that information is known.

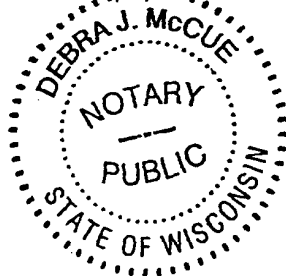
*ASSIGNOR UNDERSTANDS AND AGREES* that the attorneys and agents of the law firm of Foley & Lardner do not personally represent ASSIGNOR or ASSIGNOR's legal interests, but instead represent the interests of ASSIGNEE; since said attorneys and agents cannot provide legal advice to ASSIGNOR with respect to this Assignment, ASSIGNOR acknowledges its right to seek its own independent legal counsel.

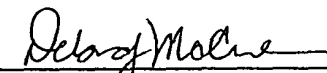
Executed this 31<sup>ST</sup> day of October, 2000.

  
Terence F. Kelly

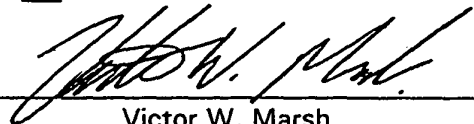
State of Wisconsin )  
County of Dane ) ss.

On this 31<sup>st</sup> day of October, 2000, before me, a notary public in and for said county, appeared Terence F. Kelly, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.



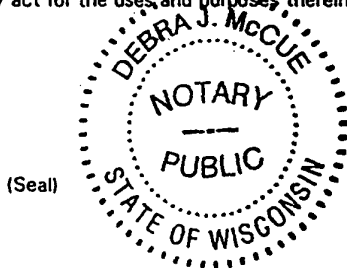
  
Notary Public  
My Commission Expires: 5/30/2004


Executed this 31 day of October, 2000.

  
 Victor W. Marsh

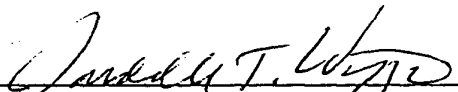
State of Wisconsin  
 County of Dane ss.

On this 31 day of October, 2000, before me, a notary public in and for said county, appeared Victor W. Marsh, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.



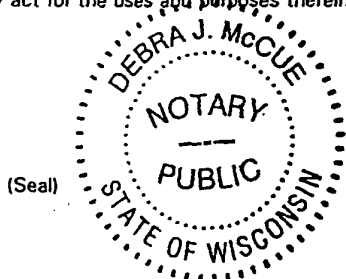
  
 Notary Public  
 My Commission Expires: 5/30/2004


Executed this 31 day of October, 2000.

  
 Randall T. Wiggins

State of Wisconsin  
 County of Dane ss.

On this 31 day of October, 2000, before me, a notary public in and for said county, appeared Randall T. Wiggins, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.



  
 Notary Public  
 My Commission Expires: 5/30/2004